



T.H.
J-9-03
H9/Election

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Hesson et al.

Appln. No.: 09/908,985

Filing Date: July 19, 2001

For: **Kits and Solutions Supporting
Intracranial Perfusions**

Reference: 358381-101

Art Unit: 3763

Examiner: Han, M.

REPLY TO RESTRICTION
REQUIREMENT

TC 3700 MAIL ROOM

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JUL - 9 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

This paper is responsive to the Office Action dated April 1, 2003.¹ With a two month extension of time, the present reply is timely filed on or before July 1, 2003.

Applicant provisionally elects Group I (claims 1-32, 34-40), but with traverse as to the asserted to be independent subject matter of Group III (claims 41-50).

The kits of group I can be used in the methods of Group III. A thorough examination of Group I requires a review of the Group III art, and a thorough examination of Group III requires a review of the Group I art. Thus, joint examination imposes no additional burden. Without

¹ I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, ALEXANDRIA, VA 22313, ON JULY 1, 2003.


By: Sally B. Hansen

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such additional burden, restriction is not appropriate. There will be no undue burden to joint examination.



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Conclusion

Prompt examination on the merits is earnestly solicited.²

Respectfully submitted,

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Registration No. 34,354



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TO 3700 MAIL ROOM

² **FEES DEFICIENCY**

IF ANY ADDITIONAL EXTENSION IS REQUIRED, PLEASE CONSIDER THIS PAPER A PETITION FOR SUCH AN EXTENSION; ANY FEE FOR THE EXTENSION REQUIRED FOR CONSIDERATION OF THIS PAPER BUT NOT ENUMERATED ABOVE OR IN A TRANSMITTAL OR OTHER ASSOCIATED PAPER CAN BE CHARGED TO ACCOUNT NO. 04-0480.

AND/OR

IF ANY ADDITIONAL FEE IS REQUIRED FOR CONSIDERATION OF THIS PAPER, PLEASE CHARGE ACCOUNT NO. 04-0480.